IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 20721 of 2004(P)

PETITIONER:

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1. NITHIN.A. GIRIJA, ULLASA VALAVU,
   P.O. PANANGADU 680 665.

2. SAJU K.H. KOLLATHUVEETTIL HOUSE,
   AZHIKODE JETTY P.O. 686 666.

3. ANTONY M.F. MUKKANNIKAL HOUSE,
   P.O.CHENNAMANGALAM 683 512.

4. SHAJEEB.A. AYALULLIYIL HOUSE,
   P.O.PERINGODE 679 735.

5. SHIHABUDHEEN V.B. VAIPIPADATH HOUSE,
   P.O.MADAVANA, ERIYAD, KODUNGALLUR 680 666.

6. LALSON ANTONY, MUTTIKKAL HOUSE,
   ELANTHIKKARA P.O. 683 594.

7. SHANU K.T. KARIPPAY HOUSE,
   ANNAMANADA P.O. 680 741.

8. SUDHEEP SUBRAN, CHEMMIKATTIL HOUSE,
   KORATTY P.O. 680 308.

9. VINOD T.V. THETTIL HOUSE,
   P.O.CHAKKARAPPADAM 680 666.

10. RAJEEV K.R. KAIMAPARAMBIL HOUSE,
    P.O.ANAPPUZHA 680 667.

11. SHITHIN THOMAS, THEKKINIYATH HOUSE,
    P.O.MALA 680 732.

12. ANEESH ANTONY, KIZHAKUMPURAM HOUSE,
    KORATTY EAST P.O. 680 308.

13. JIBIN PAUL, VENNOOKKARA HOUSE,
    KORATTY EAST P.O. CHIRANGARA 680 308.

14. ARUN K.NAIR, SASRAWATHY VIHAR,
KAITHARAM P.O. N.PARUR, 683 519.

15. SIJO K.X. KOZHIPPAT HOUSE, KUZHOOR P.O.
KUZHOOR 680 734.

16. ROLSON K.F. KAITHATHARA HOUSE, KUNDOOR P
O, 680 734.

17. RAJEEV KUMAR I.S. IRATTU HOUSE,
KAVILKADAVU, P.O.KODUNGALLUR 680 664.

18. PREM KICHU, KIZHAKKEDATH HOUSE,
ATHANI P.O.ALUVA. 683 585.

19. LINTO ANTONY, PUTHUSSERY HOUSE,
P.O.THAZHEKKAD 680 697.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:
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1. STATE OF KERALA, REP. BY THE
SECRETARY TO THE GOVERNMENT, INDUSTRIAL TRAINING
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR GENERAL OF EDUCATION AND
TRAINING MINISTRY OF INDUTRIES, UNION OF INDIA,
NEW DELHI.

3. THE GOVERNMENT I.T.I. AT MALA,
KARUVILANGADU VILLAGE, MUKUNDAPURAM TALUK,
THRISSU8R REP. BY ITS PRINCIPAL.

BY SRI.S.KRISHNAMOORTHY, CGC
SRI.JOHN VARGHESE, ASSISTANT SG
SMT.R.BINDU, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 20721/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE PROSPECTUS ISSUED by the FIRST RESPONDENT FOR THE DIFFERENT INSTITUTES FOR THE YEAR 2002-2003 DATED NIL.

EXT.P2 COPY OF THE PROSPECTUS OF THE FIRST RESPONDENT FOR THE YEAR 2003-2004.

EXT.P3 COPY OF THE PROSPECTUS FOR THE YEAR 2004 ISSUED by the FIRST RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 20721 of 2004

Dated, this the 5th day of March, 2007

J U D G M E N T

The petitioners are students who joined the 3rd respondent Institute for Technical Training, run by the Government of Kerala, in the year 2002. The course is for two years and the trade being Mechanical (Motor Vehicles). Obviously, when petitioners joined the institute, it did not have NCVT affiliation. According to the learned counsel for the NCVT, students are entitled to certificate from NCVT only if they join the course after affiliation is granted to the institution and if they pass the examination conducted by the NCVT. Even though I also agree with this contention, in this particular case, it is seen that affiliation is granted by NCVT in 2002 i.e. during middle of the course joined by the petitioners. Further none of the parties appearing in this Court is in a position to confirm to this Court whether petitioners were allowed to write the examination conducted by NCVT or whether they wrote the examination conducted by the State Government. If petitioners have written the examination of the NCVT, then they are entitled

to get certificate from NCVT. On the other hand, if they were allowed to write the examination conducted by the 2nd respondent, which is the agency under the State, certificate will be issued by the State Government.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg